

# **FOIA, Privacy & Records Management Conference 2009**

***Office of the Administrative Assistant to the  
Secretary of the Army***

***Records Management and Declassification  
Agency***

***&***

***Army Publishing Directorate***

## **Privacy Act Statement/Advisory and SSN Reduction Requirements & Development**

Ms. Cris Carpi  
Chief, Forms Mgmt Branch  
(703) 325-6297  
[cris.carpi@hqda.army.mil](mailto:cris.carpi@hqda.army.mil)

Ms. Evlyn Hearne  
Army Privacy Office  
(703) 428-7497  
[evlyn.hearne@us.army.mil](mailto:evlyn.hearne@us.army.mil)

Mr. Chris Kaloudis  
Army Privacy Office  
(703) 428-7499  
[chris.kaloudis@us.army.mil](mailto:chris.kaloudis@us.army.mil)





# Privacy Act Statement

---

## ***When do you need a Privacy Act Statement?***

Whenever the government collects Personally Identifiable Information (PII) from an individual, regardless of the method used to collect the information (forms, personal or telephonic interview, Internet or system access), the Privacy Act of 1974 (5 USC 552a) requires the government to advise individuals why the information is being collected from them, which affords individuals an opportunity make an informed decision as to whether to furnish the information for the intended purpose.



# Privacy Act Statement (cont)

---

## *What's Included in a Privacy Act Statement*

### **AUTHORITY:**

- Must be statutory or Executive Order.
- Ensures that personal information collected is limited to that which is legally authorized and necessary.
- Lists the Federal Law and/or Executive Order that appears in the systems notice for the system of records into which this data will be placed.
- Can also include any regulatory authority.
- Title 10 USC Section 3013 is the overall authority for the Secretary of the Army.
- Executive Order 9397 is the authority for use of SSNs.



# Privacy Act Statement (cont)

---

## *What's Included in a Privacy Act Statement (con't)*

### **PRINCIPAL PURPOSE(s):**

- The purpose(s) for which the information is to be used.
- This varies and should be written from the individual record subject perspective.
- For example, simply stating the data will be used for management statistical analysis is not sufficient when another purpose might be to determine assignment qualification.



# Privacy Act Statement

---

## **(Cont)** *What's Included in a Privacy Act Statement (cont)*

**ROUTINE USE(s):** Indicates which agencies outside the Department of Defense will have access to the data or to which the data will be shared. The “Blanket Routine Uses” for the Department of Defense almost always apply and are usually indicated here.

**MANDATORY OR VOLUNTARY:** In almost every instance, furnishing the information is Voluntary. If failure to provide the information will result in deprivation of a service, benefit, or function the individual should be informed. Furnishing the information is mandatory only if the statutory or Executive Order provide for a penalty for not providing the information.



# Sample Privacy Act

---

## Statement

**AUTHORITY:** 10 U.S.C. Section 3013, Secretary of the Army; AR 600-20, Army Command Policy and E.O. 9397 (SSN).

**PRINCIPAL PURPOSE(s):** To provide a means for filing a complaint based on discrimination due to race, color religion, gender, or national origin.

**ROUTINE USE(S):** None. The "Blanket Routine Uses" set forth at the beginning of the Army's Compilation of Systems of Record Notices also applies to this system.

**DISCLOSURE:** Voluntary. However, failure to provide all the requested information could lead to rejection of complaint for inadequate data.

# SSN Reduction Plan

---



- ❑ Authority
- ❑ Scope
- ❑ Roles & Responsibilities
- ❑ Basic Procedural Requirements
- ❑ Justification Analysis
- ❑ Lessons Learned
- ❑ Questions

# SSN Reduction Plan Authority

---



President's Task Force on Identity Theft Strategic Plan, April 2007

DoD Senior Privacy Official Memorandum, "Personally Identifiable Information," April 27, 2007

Directive-Type Memorandum 07-015-USD(P&R) – "DoD Social Security Number (SSN) Reduction Plan" dated 28 Mar 08

DoD 5400.11-R, "DoD Privacy Program," May 14, 2007



# SSN Reduction Plan Scope

---



- All DA Forms that collect Social Security Numbers (SSNs)
  - Approximately 500 must be reviewed
  - Goal is to eliminate SSN's if at all possible
- DA Forms with continued need for collection of SSN's:
  - Must have an approved continued use justification based on DTM acceptable use cases
  - GO/SES must sign justification
  - Army Forms Manager is approving Official cosigned by Army Privacy Office
- DoD to direct reviews of Army proponent DD & SD Forms
- Command/installation forms must be reviewed with similar process



# Roles & Responsibilities

---

- APD Forms Management Branch & Army Privacy Office
  - Are charged with reducing SSN usage throughout the Army
  - Must be convinced that continued use is appropriate
  - Review and approve/disapprove SSN use justifications
  - Ensure compliance with DTM and basis for acceptable uses
  - Periodically review new forms (3 year reporting)



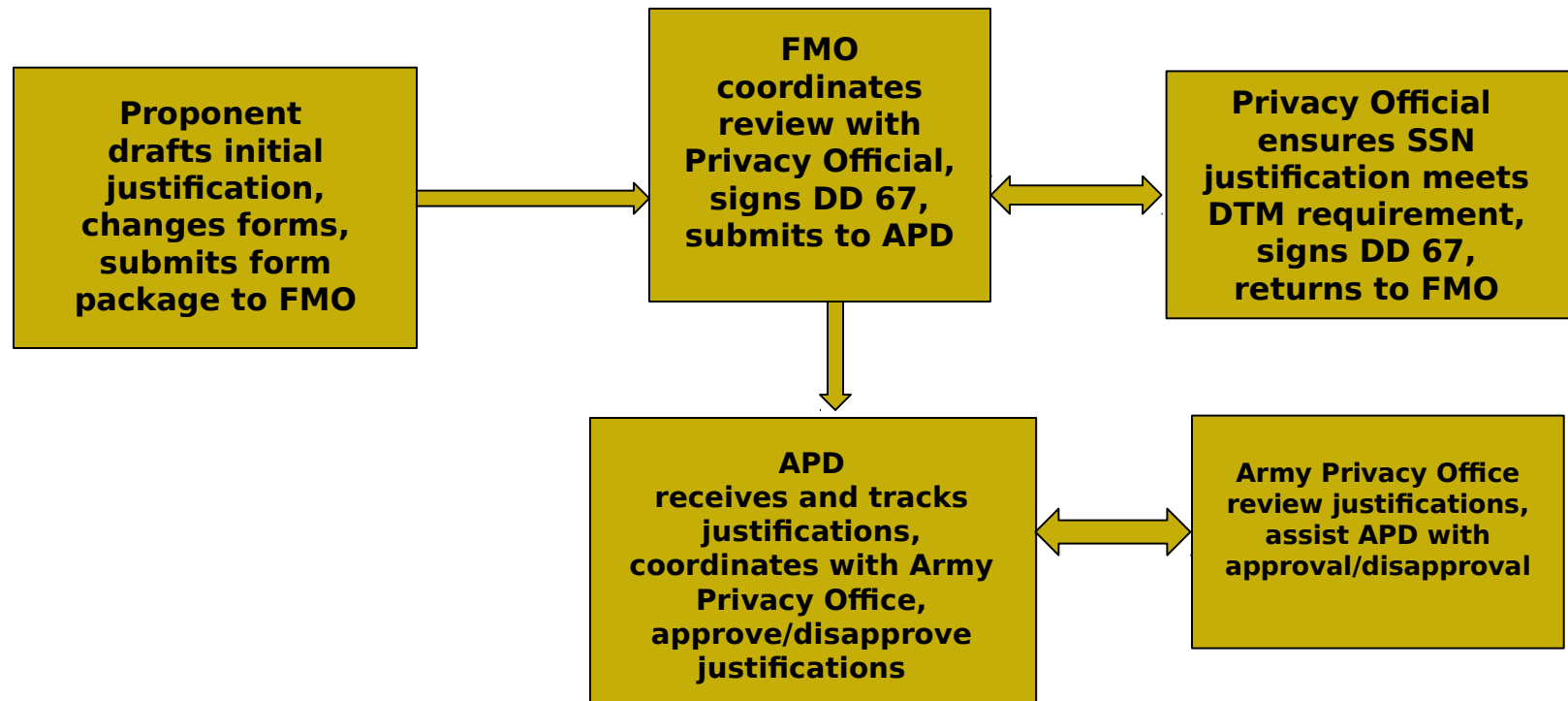
# Roles & Responsibilities (con't)

---

- Forms Managers, Proponents & Privacy Officials at the Headquarters level will
  - Perform a one-time initial review of all existing forms (July 09)
  - Review all new and revised forms
  - Review will validate continued SSN use or identify SSN elimination
    - ✓ Include Privacy Officials in review (block 15 e of DD Form 67)
  - Revise forms, draft and submit SSN justification along with DD Form 67
    - ✓ Justifications must be signed by SES/GO
    - ✓ Must correlate with one or more DTM acceptable uses
    - ✓ Must provide convincing rationale for continued use
- DoD Forms Management Officer
  - Review SSN use justifications on DD and SD forms and report annually



# Basic Procedural Requirements





# Basic Procedural Requirements (cont)

---

- Acceptable SSN uses
  - Provided for by law
  - Require interoperability with organizations beyond DoD
  - Required by operational necessities
    - ✓ result of the inability to alter systems, processes, or forms due to
      - cost
      - unacceptable levels of risk
- Forms that claim “operational necessity”
  - Will be closely scrutinized
  - Ease of use or unwillingness are not acceptable justifications

# Basic Procedural Requirements (cont)

---



- It is unacceptable to collect, use, retain, or transfer SSN along with any other Personally Identifiable Information (PII) without approved justification
- Explore alternatives to SSNs such as biometrics, electronic data interchange, system-generated identifiers, net-centric environments, email address
- If disapproved, proponents must submit a plan for elimination with timeline



# Justification Analysis

---

**(1) Geneva Conventions Serial Number**

SSN is necessary to fulfill Geneva Convention requirements to identify authorized combatants

**(2) Law Enforcement, National Security, Credentialing**

SSN is needed to perform background checks and verify criminal history of persons involved in criminal activities and employees working in law enforcement

**(3) Security Clearance Investigation or Verification**

SSN necessary to conduct background checks on employees



# Justification Analysis (Con't)

---

## **(4) Interactions With Financial Institutions**

SSN is needed in order deposit funds and open accounts

## **(5) Confirmation of Employment Eligibility**

SSN is necessary to prove eligibility to work or with the U.S. government

## **(6) Administration of Federal Worker's Compensation**

SSN is needed to facilitate payments and benefits





# Justification Analysis (Cont)

---

- (7) **Federal Taxpayer Identification Number**  
SSN is needed to report earnings and other information to state and federal taxation authorities
- (8) **Computer Matching**  
SSN is necessary to compare data on individuals with other federal agencies
- (9) **Foreign Travel** – SSN is needed to obtain passport
- (10) **Noncombatant Evacuation Operations (NEOs)**  
SSN required by the State Department as persons are repatriated to the U.S.



# Justification Analysis (Cont)

---

## **(11) Legacy System Interface**

SSN is needed to report and verify data with other DoD systems

- Use only if no other Acceptable Use applies
- Transition to another identifier cost prohibitive
- Only valid for limited period to time
- Plan for elimination with timeframe must accompany justification

## **(12) Other Cases**

Sufficient grounds and documentation must be submitted to prove SSN use is required by law



# Lessons Learned

---

- APD and Army Privacy Office cannot draft your justification
  - Our role is to eliminate SSNs
- Workload scope prohibits special considerations and priorities
- Justification preparation and staffing can be time-consuming – plan accordingly based on your organizational needs
- Consider related publications and system requirements as you prioritize justification submissions
- Incremental submission of justifications will allow timely action



# Lessons Learned (con't)

---

- Ensure you closely adhere to the Acceptable Use cases
- Be brief and do not include unnecessary information in your justifications
- Ensure justifications are complete, accurate, and non-contradictory
- Be thorough and accurate: we cannot review duplicative justifications
- Justifications are not permanent and will be reinitiated in the future



---

# Questions?